

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SUSAN TOCARCHICK,

Plaintiff,

Case No. 15-cv-11329

Hon. Matthew F. Leitman

v.

UAW REGION 1 *et al.*,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF #11),
GRANTING DEFENDANT UAW REGION 1'S MOTION TO DISMISS
(ECF #4), AND DISMISSING PLAINTIFF'S COMPLAINT (ECF #1)**

On January 22, 2015, Plaintiff Susan Tocarchick ("Tocarchick") filed a *pro se* Complaint in the Macomb County Circuit Court against Defendant UAW Region 1 and four other Defendants (the "Complaint"). (*See* ECF #1 at 8-23, Pg. ID 8-23.) It appears that UAW Region 1 is the only Defendant Tocarchick served with the Complaint. (*See id.* at 2, Pg. ID 2.) UAW Region 1 removed Tocarchick's action to this Court (*see* ECF #1), and it moved to dismiss the claims Tocarchick brought against it (the "Motion to Dismiss"). (*See* ECF #4.)

On July 30, 2015, Magistrate Judge David Grand issued a Report and Recommendation in which he recommended that the Court (1) grant the Motion to Dismiss and (2) dismiss Tocarchick's claims against all of the Defendants. (*See* ECF #11.) The R&R stated that the parties could seek review of the

recommendation if they filed “specific written objections” within fourteen days. (See *id.* at 9-10, Pg. ID 179-180.)

Neither party has objected to the R&R. Failure to file objections to the R&R waives any further right to appeal. See *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); see also *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the R&R releases the Court from its duty to independently review the matter. See *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Court has nevertheless reviewed the R&R and agrees with the findings and conclusions of the Magistrate Judge.

Therefore, **IT IS HEREBY ORDERED** that the Magistrate Judge's July 30, 2015, Report and Recommendation (ECF #11) is **ADOPTED** as the Opinion of this Court; that the Motion to Dismiss (ECF #4) is **GRANTED**; and that Tocarchick's Complaint (ECF #1) is **DISMISSED WITH PREJUDICE**.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: August 21, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 21, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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